

**REMARKS**

Claims 28-58 are pending in the present application. Claims 38 and 47 are amended.  
Claims 28 and 43 are independent claims.

**Minor Objections to the Specification and Abstract**

Applicants attach hereto a revised abstract and substitute specification. The specification and abstract have been revised, taking the Examiner's suggestions into consideration. No new matter has been added. Withdrawal of these objections is now respectfully requested.

**Rejections under 35 U.S.C. § 112, second paragraph**

The claims have been amended so as to render the rejections of claims 38 and 47 moot. The amendments are non-narrowing amendments. Withdrawal of the rejection is respectfully requested.

**Prior Art Rejections**

Claims 28-38 have been rejected under 35 U.S.C. §102 over US patent 1,934,184 to Gerlach et. al. This rejection is respectfully traversed.

**Independent claim 28**

According to the Examiner, claim 28 is anticipated by Gerlach (US 1,934,184). The Examiner alleges that Fig. 1 of Gerlach shows a magnetic circuit with "...return paths extending

in a plane being substantially parallel to the substantially plane diaphragm", as claimed.

However, this is not true as will be explained as follows.

The magnetic circuits shown in Figs. 1 and 4 of Gerlach are essentially conventional loudspeaker magnetic circuits, the only difference being that the magnetic circuit of Gerlach has a rectangular shape and not a radial shape as in most well-known loudspeakers. Thus, magnetic return paths of the magnetic circuit of Gerlach's Fig. 1 extend in a plane perpendicular to the plane diaphragm.

Thus, they do not extend "substantially parallel" as claimed. Instead, they extend perpendicular to the plane diaphragm, such as in conventional loudspeaker magnetic circuits.

#### Independent claim 43

The Examiner also alleges that claim 43 is anticipated by Gerlach. This position is also traversed.

According to the Examiner, Figs. 2 and 3 of Gerlach show a diaphragm 7 comprising electrically conductive portions. However, nothing in Gerlach indicates the existence of such conductive portions of the diaphragm 7 and that such conductive portions are connected to conducting path ends of the coil 6.

In addition, the Examiner alleges that reference sign 23 of Gerlach's Figs. 4 and 6 shows "externally accessible portions for electrically terminating the transducer", as set forth in claim 43. However, on page 3, lines 16-19 of Gerlach it says that reference sign 23 shows "long equal length tubes", i.e. tubes connecting the "pressure transformation space" 22 with an external horn.

Thus, reference sign 23 has nothing to do with electrical termination of the transducer. In fact Gerlach is silent about electrical termination of the coil 6.

#### Further Prior Art Rejections

The Examiner has further rejected claims 39-42 and 55-58 under 35 U.S.C. §103 as being unpatentable over Gerlach. This rejection is respectfully traversed for the reasons set forth above regarding the corresponding independent claims. Thus, withdrawal of the rejection is respectfully requested.

#### Conclusion

In view of the above amendments and remarks, reconsideration of the outstanding objections and rejections and allowance of claims 28-58 is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

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